

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-24779 - APPLICANT/OWNER: TOVA IAQUINTO

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. No further review shall be required.
2. Conformance to all other Conditions of Approval for Special Use Permit (U-0155-00) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a required Five Year Review of an approved Special Use Permit (U-0155-00) that allowed a commercial horse stable at 6180 Donald Nelson Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/27/84	The Board of Zoning Adjustment approved a Variance (V-0130-84) to allow the construction of a barn which exceeds the size of the main dwelling, to allow a barn to exceed the height of the main dwelling, to allow the construction of a barn prior to completion of the main dwelling, to allow a corral to be five feet from the side and rear property lines where 25 feet is required, and to allow a six-foot high chain link fence in the front yard where only four feet is allowed.
04/12/99	The Planning and Development Department administratively approved a Minor Exception (ME-0009-99) to allow an eight-foot high wall along the side property line where six feet is the maximum height allowed.
11/15/00	The City Council approved a Special Use Permit (U-0155-00) for a proposed commercial horse boarding facility on a two acre site adjacent to the northeast corner of Donald Nelson Avenue and Maverick Street. The Planning Commission and staff recommended approval.
08/13/04	Code Enforcement responded to a complaint that the applicant has a Special Use Permit for 12 horses, but has more than 12, has horse shows, lights from property bother neighbors, and when they have shows, the air quality is bad. The case was resolved on 08/17/04.
08/31/04	Code Enforcement responded to a complaint that the applicant was creating noise from horse shows and had late hours. The case was resolved on 11/05/04.
<i>Related Building Permits/Business Licenses</i>	
02/13/01	A business license (R19-00003) was issued for a Riding Stable on the subject property.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.06

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single Family Residential	RNP (Rural Neighborhood Preservation) Clark County	Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first review of the subject Special Use Permit (U-0155-00). In the time since the original approval there have been two Code Enforcement cases on the subject property. These cases occurred within the same month in 2004. Both cases were successfully resolved within a short time period. Since August of 2004 the business has not been subject to action from Code Enforcement. The business license for the subject property is in good standing. The surrounding area is primarily large estate style homes and is suitable for the equestrian use. Approval of this request is recommended. No further review shall be required.

FINDINGS

The subject property is in conformance to conditions of approval. Approval of this request is recommended. No further review shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 132

APPROVALS 0

PROTESTS 0